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TO EXAMINER JEAN ALLAND GELIN**

TO: Commissioner for Patents  
Attn: Examiner Jean Alland Gelin  
Group Art Unit 2681  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0072.0047  
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Title of Document Transmitted: PROPOSED AGENDA FOR PHONE INTERVIEW

Applicant: M.W. Brown et al.  
Serial No.: 09/848,173  
Filed: May 3, 2001  
Group Art Unit: 2681  
Docket No.: AUS920010221US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 4, 2004

By:  
Name: David W. Victor

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M.W. Brown et al. Examiner: Jean Allard Gelin  
Serial No.: 09/848,173 Group Art Unit: 2681  
Filed: May 3, 2001 Docket No.: AUS920010221US1  
TITLE: METHOD, SYSTEM, AND PROGRAM FOR PROVIDING USER LOCATION INFORMATION FOR A PERSONAL INFORMATION MANAGEMENT SYSTEM FROM TRANSMITTING DEVICES

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PROPOSED AGENDA FOR PHONE INTERVIEW  
(INFORMAL COMMUNICATION - DO NOT ENTER INTO  
PROSECUTION RECORD)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The attorney for Applicants and the Examiner have scheduled a phone interview for 1:00PM (EST). Applicants submit an agenda for the phone interview as an informal communication, not to be entered into the prosecution record.

Applicants want to discuss the patentability over claims 1, 13, and 25 of the cited Beadle. In particular, Applicants want to discuss why the cited Beadle does not disclose the requirement of adding the location description from at least one of the transmitting device records to at least one user record associated with the user of the wireless device.

The cited cols. 6-7 of Beadle discuss a smart hospital providing smart badges to patients to report their current location, so that each person that sees the patient and each procedure performed generates data in the central computer so that the procedure results may be recorded with the patient record. Nowhere does this discussion of the smart hospital anywhere disclose adding the location description from at least one of the transmitting device records to at least one user record associated with the user of the wireless device.

The cited Section 5.2 discusses a diary agent that records all the places the smart badge wearer went during the day, how long at the location and who else was there. Notwithstanding, nowhere does the cited Section 5.2 anywhere disclose adding the location description from at

Amdt. dated May 12, 2004  
Reply to Office action of Feb. 12, 2004

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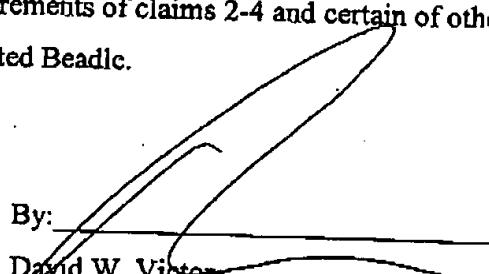
least one of the transmitting device records to at least one user record associated with the user of the wireless device.

The cited Section 5.2 further discusses an intelligent fitness center. The patron's badge identifies the user to equipment and the patron's exercise profile is loaded from a badge to the exercise equipment. Performance measurements may be gathered at the exercise machine and logged to the patron's database for later analysis. Although the cited Section 5.2 discusses how performance information may be added to a user's records, Applicants want to discuss why the cited Section 5.2 does not disclose the claim requirement of adding the location description from at least one of the transmitting device records to at least one user record associated with the user of the wireless device.

Applicants further want to discuss the requirements of claims 2-4 and certain of other of the rejected dependent claims with respect to the cited Beadie.

Dated: October 4, 2004

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